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## EXTRAORDINARY PART II—Section 3—Sub-section (i.) PUBLISHED BY AUTHORITY

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### MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

#### ORDERS

New Delhi, the 27th November, 1964

**G.S.R. 1695.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Madhya Pradesh Rice (Movement Control) Order, 1957, namely:—

1. This Order may be called the Madhya Pradesh Rice (Movement Control) Amendment Order, 1964.
2. In the Madhya Pradesh Rice (Movement Control) Order, 1957, the second proviso to clause 3 shall be omitted.

**Clarificatory Note.**—The following is a clarificatory note and does not form part of this Order.

The effect of the amendment hereby made will be to withdraw the provision made in the main Order whereby licensees under the Madhya Pradesh Food-grains (Export Licence) Order, 1960, could export rice (other than paddy) without any restriction outside Madhya Pradesh. From now on no export of rice as defined in the main Order can be made from Madhya Pradesh to places outside the State except under and in accordance with permits issued by the competent authority.

[No. 204(MP) (4)/758/64-PY. II.]

**G.S.R. 1696.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby rescinds the Rice (Eastern Zone) Movement Control Order, 1959, published under G.S.R. 1401, dated the 19th December, 1959, in the Gazette of India Extraordinary [Part II Section 3—Sub-section (i)], dated the 21st December, 1959:

Provided that such rescission shall not affect—

- (a) the previous operation of the said Order or anything duly done or suffered thereunder; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Order; or

- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Order, or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment, as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said Order had not been rescinded.

[No. 204(EZ) (1)/759/64-PY. II.]

**G.S.R. 1697.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short Title, Extent and Commencement.**—(1) This Order may be called the West Bengal Rice (Movement Control) Order, 1964.

(2) It extends to the whole of the State of West Bengal.

(3) It shall come into force at once.

2. **Definitions.**—In this Order, unless the context otherwise requires,—

- (a) "export" means to take or cause to be taken out of any place within the State of West Bengal to any place outside it;
- (b) "import" means to take or cause to be taken into any place in the State of West Bengal from any place outside it;
- (c) "rice" includes broken rice, paddy and products of rice or paddy other than bran and husk;
- (d) "State Government" means the Government of the State of West Bengal;
- (e) "transport" means to move or cause to be moved by any means whatsoever.

3. **Restrictions on Export and Import of Rice.**—(1) No person shall export or attempt to export or abet the export of rice except under and in accordance with a permit issued by the Central Government or the State Government or by any officer authorized in that behalf by the Central Government or, as the case may be, by the State Government.

(2) No person shall import or attempt to import or abet the import of rice except under and in accordance with a permit issued by the Central Government or the State Government or by any officer authorized in that behalf by the Central Government or, as the case may be, by the State Government:

Provided that nothing contained in sub-clauses (1) and (2) shall apply to the export or import of rice—

- (i) not exceeding one kilogram in weight in the aggregate by a bona fide traveller as part of his luggage; or
- (ii) on Government account; or
- (iii) under and in accordance with Military Credit Notes; or
- (iv) where such export or import, as the case may be, is of gift rice received under the Indo-US Agreement on Relief Supplies, 1951, and despatched by the Regional Director (Food), Bombay, Madras or Calcutta, to a nominee of the American Voluntary Relief Agency concerned for relief purposes;

Provided further that nothing contained in sub-clause (2) shall apply to the export of rice from any place within Nepal into any place within the State of West Bengal:

Provided also that it shall be lawful for a person to—

- (a) import seed paddy not exceeding four quintals for bona fide agricultural purposes, or

(b) import rice, being the produce of his land situated in a State outside the State of West Bengal, for *bona fide* consumption by himself and the members of his family in a place within the said State, or

(c) export rice, being the produce of his land lying within the State of West Bengal for *bona fide* consumption by himself and other members of his family in a place outside the said State,

under and in accordance with a permit issued by the Central Government or the State Government or by any officer authorized in that behalf by the Central Government or, as the case may be, by the State Government.

**4. Restrictions on Transport of Rice to Border Area.**—No person shall transport or attempt to transport or abet the transport of rice to any place in the border area from any place in the State of West Bengal outside that area except under and in accordance with a permit issued by the State Government or any officer authorized by that Government in that behalf:

Provided that nothing contained herein shall apply to the transport of rice—

(i) on Government account, or

(ii) under and in accordance with Military Credit Notes, or

(iii) not exceeding forty kilograms in weight in the aggregate by a *bona fide* resident of the border area for domestic consumption, or

(iv) not exceeding one kilogram in weight in the aggregate by a *bona fide* traveller as part of his luggage, or

(v) being gift rice received under the Indo-US Agreement on Relief Supplies, 1951, and despatched by the Regional Director (Food), Bombay, Madras or Calcutta, to a nominee of the American Voluntary Relief Agency concerned for relief purposes.

**Explanation.**—For the purposes of this clause, 'border area' means the area, inside the State of West Bengal, falling within a five-mile belt all along the border of the said State.

**5. Saving.**—The provisions of this Order shall not apply to the export of rice to any place within the Union territory of the Andaman and Nicobar Islands or to the transport of rice to the border area in the course of export to any place within such territory.

**6. Powers of Entry, Search, Seizure, etc.**—(1) Any Police Officer not below the rank of Assistant Sub-Inspector and any other person authorized in this behalf by the State Government or the Central Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

(i) stop and search, or authorize any person to stop and search, any person, boat, motor or any vehicle or receptacle used or intended to be used for the export, import or transport of rice;

(ii) enter and search or authorize any person to enter and search any place;

(iii) seize or authorize the seizure of rice in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened along with the packages, coverings, or receptacles in which such rice is found or the animals, vehicles, vessels, boats or conveyances used in carrying such rice and thereafter take or authorize the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

**G.S.R. 1698.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

**1. Short title, extent and Commencement.**—(1) This Order may be called the Orissa Rice (Movement Control) Order, 1964.

(2) It extends to the whole of the State of Orissa.

(3) It shall come into force at once.

**2. Definitions.**—In this Order, unless the context otherwise requires,—

- (a) "export" means to take or cause to be taken out of any place within the State of Orissa to any place outside it;
- (b) "import" means to take or cause to be taken into any place in the State of Orissa from any place outside it;
- (c) "rice" includes broken rice, paddy and products of rice or paddy other than bran and husk;
- (d) "State Government" means the Government of the State of Orissa;
- (e) "transport" means to move or cause to be moved by any means whatsoever.

**3. Restrictions on Export and Import of Rice.**—(1) No person shall export or attempt to export or abet the export of rice except under and in accordance with a permit issued by the Central Government or the State Government or by any officer authorized in that behalf by the Central Government or, as the case may be, by the State Government.

(2) No person shall import or attempt to import or abet the import of rice except under and in accordance with a permit issued by the Central Government or the State Government or by any officer authorized in that behalf by the Central Government or, as the case may be, by the State Government:

Provided that nothing contained in sub-clauses (1) and (2) shall apply to the export or import of rice—

- (i) not exceeding one kilogram in weight in the aggregate by a *bona fide* traveller as part of his luggage; or
- (ii) on Government account; or
- (iii) under and in accordance with Military Credit Notes; or
- (iv) where such export or import, as the case may be, is of gift rice received under the Indo-US Agreement on Relief Supplies, 1951, and despatched by the Regional Director (Food), Bombay, Madras or Calcutta, to a nominee of the American Voluntary Relief Agency concerned for relief purposes:

Provided further that it shall be lawful for a person to—

- (a) import seed paddy not exceeding four quintals for *bona fide* agricultural purposes, or
- (b) import rice, being the produce of his land situated in a State outside the State of Orissa, for *bona fide* consumption by himself and the members of his family in a place within the said State, or
- (c) export rice, being the produce of his land lying within the State of Orissa, for *bona fide* consumption by himself and other members of his family in a place outside the said State,

under and in accordance with a permit issued by the Central Government or the State Government or by any officer authorized in that behalf by the Central Government or, as the case may be, by the State Government.

**4. Restrictions on Transport of Rice to border area.**—No person shall transport or attempt to transport or abet the transport of rice to any place in the border area from any place in the State of Orissa outside that area except under and in accordance with a permit issued by the State Government or any officer authorized by that Government in that behalf:

Provided that nothing contained herein shall apply to the transport of rice—

- (i) on Government account, or
- (ii) under and in accordance with Military Credit Notes, or

- (iii) not exceeding forty kilograms in weight in the aggregate by a *bona fide* resident of the border area for domestic consumption, or
- (iv) not exceeding one kilogram in weight in the aggregate by a *bona fide* traveller as part of his luggage, or
- (v) being gift rice received under the Indo-US Agreement on Relief Supplies, 1951, and despatched by the Regional Director (Food), Bombay, Madras or Calcutta, to a nominee of the American Voluntary Relief Agency concerned for relief purposes:

Provided further that nothing contained herein shall apply to the transport of paddy to Khariar Road in Kalahandi District from places in Orissa outside the border area, for purposes of local sale.

*Explanation.*—For the purposes of this clause, 'border area' means the area, inside the State of Orissa, falling within a five-mile belt all along the border of the said State.

5. **Powers of entry, search, seizure etc.**—(1) Any Police Officer not below the rank of Assistant Sub-Inspector and any other person authorized in this behalf by the State Government or the Central Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

- (i) stop and search, or authorize any person to stop and search, any person, boat, motor or any vehicle or receptacle used or intended to be used for the export, import or transport of rice;
  - (ii) enter and search or authorize any person to enter and search any place;
  - (iii) seize or authorize the seizure of rice in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened along with the packages, coverings, or receptacles in which such rice is found or the animals, vehicles, vessels, boats or conveyances used in carrying such rice and thereafter take or authorize the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or conveyances so seized, in a court and for their safe custody pending such production.
- (2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

[No. 204(EZ)(1)/761/64-PY.II.]

KRISHAN CHAND, Addl. Secy.

